
From: Eric Postma
Sent: Thursday, February 11, 2021 3:25 PM
To: Gary Magnuson; Nick Henderson; Nathan Pogue
Subject: RE: 3:19-cv-01467-JR Radagast Pet Food, Inc. v. Centinela Feed, Inc. et al

I cannot object to that approach.

Eric S. Postma

Attorney at Law
Bittner & Hahs, P.C.
4949 SW Meadows Road, Suite 260
Lake Oswego, OR 97035
(503) 445-4307 **Direct Line**
(503) 228-5626 **Main Line**
(503) 228-8566 **Fax Line**
epostma@bittner-hahs.com
www.bittner-hahs.com



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From: Gary Magnuson [mailto:gary_magnuson@ord.uscourts.gov]
Sent: Thursday, February 11, 2021 3:18 PM
To: Nick Henderson <nhenderson@portlaw.com>; Eric Postma <epostma@bittner-hahs.com>; Nathan Pogue <npogue@bittner-hahs.com>
Subject: RE: 3:19-cv-01467-JR Radagast Pet Food, Inc. v. Centinela Feed, Inc. et al

Will this work for you, Mr. Postma? (There needs to be agreement on this so I can present a proper order to the judge.)

Gary Magnuson,
Courtroom Deputy,
U.S. District Court,
District of Oregon.
(503) 326-8055; fax (503) 326-8010
gary_magnuson@ord.uscourts.gov

From: Nick Henderson <nhenderson@portlaw.com>

Sent: Thursday, February 11, 2021 2:42 PM

To: 'Eric Postma' <epostma@bittner-hahs.com>; Gary Magnuson <gary_magnuson@ord.uscourts.gov>; Nathan Pogue <npogue@bittner-hahs.com>

Subject: RE: 3:19-cv-01467-JR Radagast Pet Food, Inc. v. Centinela Feed, Inc. et al

CAUTION - EXTERNAL:

Mr. Magnuson,

I'd like the dismissal language to remain the same: "dismissed as to all claims." Defendants can file a fee/cost application, and Plaintiff reserves the right to object. As a result, I think the best thing to do is leave the dismissal silent on that particular point. Please let me know if you need any additional information.

Thanks,
Nick

Nicholas J. Henderson
Motschenbacher & Blattner LLP
117 SW Taylor Street, Suite 300
Portland, OR 97204-3029
Direct Tel: 503-417-0508; Fax: 503-417-0501
nhenderson@portlaw.com
www.portlaw.com

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From: Eric Postma <epostma@bittner-hahs.com>

Sent: Thursday, February 11, 2021 10:41 AM

To: Gary Magnuson <gary_magnuson@ord.uscourts.gov>; Nick Henderson <nhenderson@portlaw.com>; Nathan Pogue <npogue@bittner-hahs.com>

Subject: RE: 3:19-cv-01467-JR Radagast Pet Food, Inc. v. Centinela Feed, Inc. et al

Defendants are of the opinion dismissal should be with prejudice, but Plaintiff's counsel may have a different opinion, so I will allow Mr. Henderson to respond. As to attorney fees, I believe I can report that the parties are of the same mindset that the document is silent as to attorney fees and costs because there is no agreement on point, and it is understood that Defendants will be submitting a request for fees and costs as the prevailing party.

Eric S. Postma

Attorney at Law
Bittner & Hahs, P.C.
4949 SW Meadows Road, Suite 260
Lake Oswego, OR 97035
(503) 445-4307 Direct Line
(503) 228-5626 Main Line
(503) 228-8566 Fax Line
epostma@bittner-hahs.com
www.bittner-hahs.com



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From: Gary Magnuson [mailto:gary_magnuson@ord.uscourts.gov]
Sent: Tuesday, February 09, 2021 11:16 PM
To: Eric Postma <epostma@bittner-haahs.com>; nhenderson@portlaw.com; Nathan Pogue <npogue@bittner-haahs.com>
Subject: 3:19-cv-01467-JR Radagast Pet Food, Inc. v. Centinela Feed, Inc. et al

Counsel:

Just needing to confirm: Is this voluntary dismissal with or without prejudice, or does the language remain simply as 'dismissed as to all claims'? Also, should there be any reference to attorneys fees and costs (i.e. – dismissed without costs or attorney fees to any party)?

Notice of Electronic Filing

The following transaction was entered by Henderson, Nicholas on 2/9/2021 at 2:41 PM PST and filed on 2/9/2021

Case Name: Radagast Pet Food, Inc. v. Centinela Feed, Inc. et al
Case Number: [3:19-cv-01467-JR](#)
Filer: Radagast Pet Food, Inc.
Document Number: [60](#)

Docket Text:

Notice of Voluntary Dismissal Filed by Radagast Pet Food, Inc.. (Henderson, Nicholas)

Best,

Gary Magnuson,
Courtroom Deputy,
U.S. District Court,
District of Oregon.
(503) 326-8055; fax (503) 326-8010
gary_magnuson@ord.uscourts.gov

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